

AGENDA

COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION

**October 2, 2007
Aldermen Pinard, Thibault,
Smith, DeVries, Long**

**Upon Recess of BMA
Aldermanic Chambers
City Hall (3rd Floor)**

1. Chairman Pinard calls the meeting to order.
2. The Clerk calls the roll.
3. Chairman Pinard advises that Ordinances are to be considered for consistency with the rules of the Board, and required laws, and requests the Clerk to make a presentation relative to the Ordinances:

“Amending the Zoning Ordinances of the City of Manchester by extending the Neighborhood Business District (B-1) into an area currently zoned Urban Multifamily District (R-3), being a portion of Tax Map 178, Lot 12 with an address of 438 Dubuque Street and abutting Amory Street. A majority of the property is currently zoned R-3 and the petition would extend the B-1 to include the entire lot.”

“An Ordinance amending the Ordinances of the City of Manchester relating to dog fouling by amending Section 38.06 by deleting the fines related to Code Section 90.04 and replacing them with the following new fines:”

4. Chairman Pinard advises that a presentation having been made, if all is in order, a motion is in order to advise that the Ordinances presented are properly enrolled.
5. If there is no further business, a motion is in order to adjourn.

City of Manchester New Hampshire

In the year Two Thousand and Seven

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the Neighborhood Business District (B-1) into an area currently zoned Urban Multifamily District (R-3), being a portion of Tax Map 178, Lot 12 with an address of 438 Dubuque Street and abutting Amory Street. A majority of the property is currently zoned R-3 and the petition would extend the B-1 to include the entire lot."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by extending the Neighborhood Business District (B-1) into an area currently zoned Urban Multifamily District (R-3), being a portion of Tax Map 178, Lot 12 with an address of 438 Dubuque Street and abutting Amory Street. A majority of the property is currently zoned R-3 and the petition would extend the B-1 to include the entire lot, and being more particularly bounded and described as follows:

Beginning at a point on the zone boundary line between the B-1 (Neighborhood Business) zone district and the R-3 (Urban Multifamily) zone district, prior to this amendment, said point being approximately 62 ft. northerly of the intersection of Dubuque Street and Amory Street, prior to this amendment;

Thence, westerly along the zone boundary line between the B-1 (Neighborhood Business) zone district and the R-3 (Urban Multifamily) zone district, prior to this amendment for a distance of approximately 100 ft. to a point,

Thence, northerly along the property line of TM 178, Lot 12 with Rimmon Street East Back for a distance of approximately 105 ft. to a point;

Thence, easterly along the property line of TM 178, Lot 12 and TM 178, Lot 13 for a distance of approximately 100 ft. to a point;

Thence, southerly along the property line of TM 178, Lot 12 for a distance of approximately 105 ft. to a point, said point also being the point of beginning.

Said description to include a portion of TM 178, Lot 12, consisting of approximately 10,500 square feet of land to be rezoned from R-3 (Urban Multifamily) to B-1 (Neighborhood Business) zone district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.



SNHPC

Southern New Hampshire Planning Commission

438 Dubuque Street, Manchester, NH 03102-3546, Telephone (603) 669-4664 Fax (603) 669-4350
MANCHESTER CITY CLERK
www.snhpc.org

May 15, 2007

MAY
07 17 19:20

IN BOARD OF MAYOR & ALDERMEN

DATE: July 10, 2007

ON MOTION OF AID. O'Neil

SECONDED BY AID. Pinard

to refer to the Cmte. on Bills
VOTED TO on Second Reading and to Public
Hearing.

Leo R. Bernier
CITY CLERK

Mr. Leo R. Bernier, Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: Southern New Hampshire Planning Commission
438 Dubuque Street, Manchester, New Hampshire

Dear Mr. Bernier:

The Southern New Hampshire Planning Commission currently occupies the building at 438 Dubuque Street on the city's west side (the former Rimmon School). Currently, our property is bisected by two different zoning classifications; B-1 paralleling Amory Street and R-3 for the northern portion.

When the Commission originally renovated and occupied the building in 1995, we applied for and were granted a Variance and a Special Exception to permit professional offices in a residential zone (Case No. 147-ZO-95).

As the Commission plans for its future use of the building, we would like to request that the entire property be included in the B-1 zone. This would allow the currently permitted use as professional offices to continue without the necessity of requesting variances in the future, but would remain consistent with the previously granted exceptions.

I enclosed our check in the amount of \$300.00 to cover the filing fee for the proposed zoning amendment and plot plan showing the zoning.

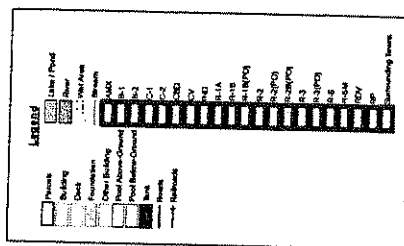
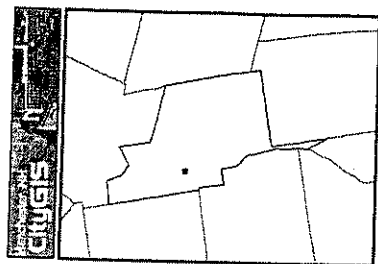
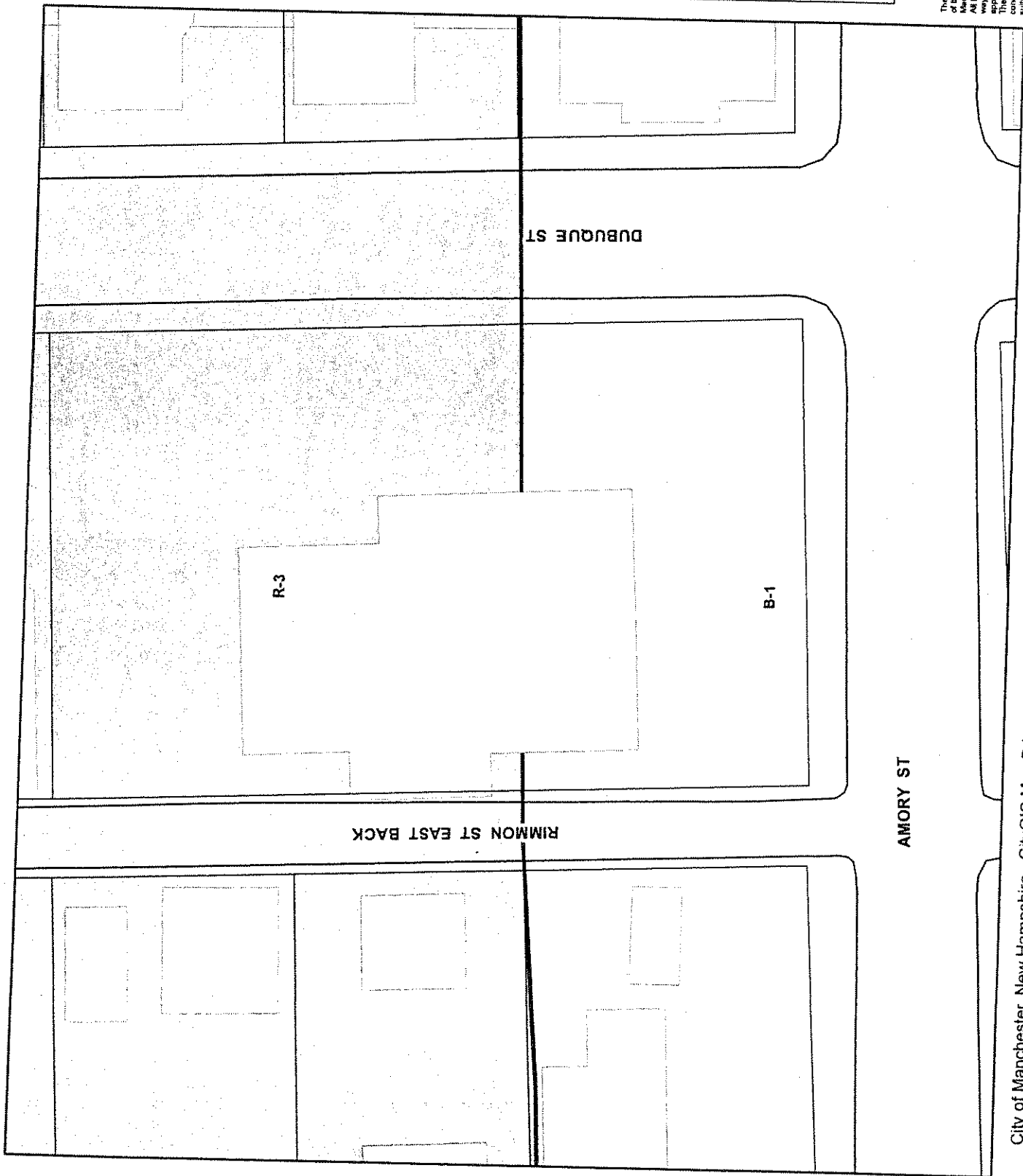
Thank you for your attention to this matter. Please contact me directly if you have any questions or require additional information in this regard.

Sincerely,

SOUTHERN NEW HAMPSHIRE
PLANNING COMMISSION

David J. Preece, AICP
Executive Director

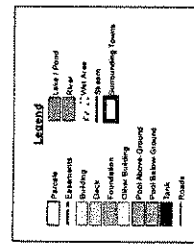
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DISCLAIMER

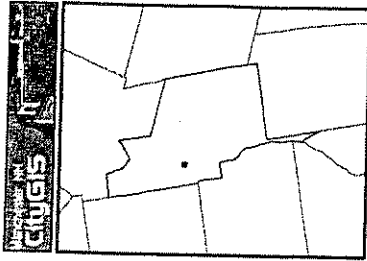
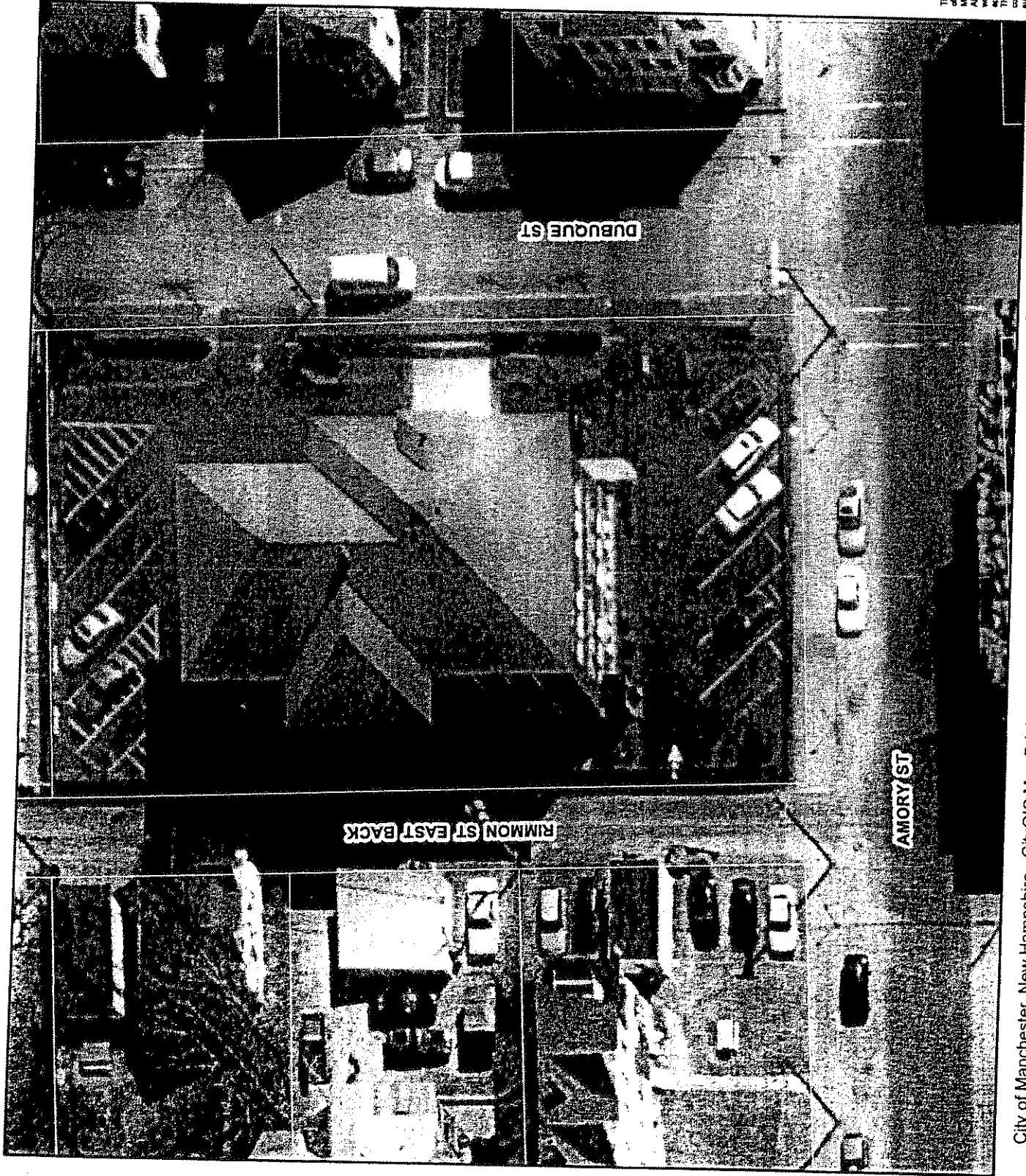
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City of Manchester, New Hampshire - CityGIS Map Print



DISCLAIMER

The information appearing on this map is for the convenience of the user and is not an official public record of the City of Manchester, NH (the "City"). This map is not survey-quality. All boundaries, easements, areas, measurements, rights-of-way, and other information on this map should only be considered approximations, and not a substitute for a professional survey. The City makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of this information for any particular use. The City assumes no liability whatsoever associated with the use or misuse of this information. The official public records from which this information was compiled are kept in the offices of various City, County, and State government agencies and departments, and are available for inspection and copying during normal business hours. By using this map, you agree to these terms and conditions.



Aerial Map Showing Street of Map At Left



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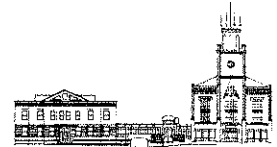


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

June 26, 2007

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: Technical Report, Rezoning Petition, 438 Dubuque Street

Dear Mr. Bernier:

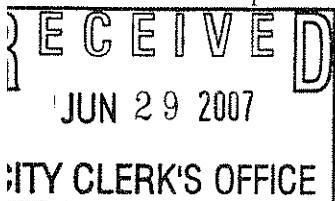
In accordance with the policy on rezoning requests, the following information is provided in consideration of a rezoning request filed by David Preece, Executive Director of the Southern New Hampshire Planning Commission, for the Commission's property at 438 Dubuque Street. The subject property is located on the northerly side of Amory Street, abutting Dubuque Street to the east, Rimmon Street East Back to the west, and a multi-family building to the north.

Currently, the property is split-zoned, with the southerly portion of the lot zoned *B-1, Neighborhood Business*, and the northerly portion of the lot zoned *R-3 Residential*. The applicant is requesting that the entire lot be zoned *B-1*.

The parcel is approximately 16,600 SF. The property has been home to the offices of the regional planning commission since 1995, after special exceptions and variances were secured by the ZBA. While properties that are bisected by different zoning district boundaries have specific issues to contend with to satisfy zoning regulations, properties in which the zoning district boundary also bisects the building have additional issues. Such is the case with this particular property.

Prior to 2001, the year the Zoning Ordinance and map were revised, the entire parcel at 438 Dubuque Street was zoned *B-1*. Staff is not certain why the map was changed in 2001, resulting in the split-zone.

From a technical perspective, the petition to rezone the rear portion of the parcel at 438 Dubuque Street from *R-3* to *B-1* may be forwarded to the Board of Mayor and Aldermen for a public hearing. Consistent with the policy for rezoning petitions, I am forwarding a



One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov

copy of this report and petition to the Planning Board, the Building Department and the Office of the City Solicitor for their comment.

The Planning Director or I will be available to answer any questions that the Board may have.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Pamela H. Goucher", with a long, sweeping horizontal line extending to the right.

Pamela H. Goucher, AICP
Deputy Planning Director

C: Planning Board
 Building Department
 Office of the City Solicitor

Planning Department Technical Review Map

RIMMON ST.

DUBUQUE ST.

R-3

Subject
Property
438 Dubuque St.
TM 178, Lot 12

100'

168'

B-1

AMORY ST.

R-3



Planning Department Technical Review Map

RIMMON ST.

R-3

DUBUQUE ST.

Subject
Property
438 Dubuque St.
TM 178, Lot 12

B-1

AMORY ST.

R-3

1. This map was prepared by the City of Manchester Planning & Community Development Department (D. Beauchesne) on June 25, 2007.

Rezone from R-3 to B-1

0 10 20 40 60 80 Feet



City of Manchester, NH - CityGIS Parcel Selection List

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Print This List

Map Lot	Location Address	Owner Name	Owner Address	Owner City	State	Zip Code	Sale Date	Sale Price	Book/Page	Land Area (sq ft)	Living Area (sq ft)	Total Valuation (as of 2006 Revaluation)
178-10	441 RIMMON ST	RICE, ALAN	PO BOX 1773	MANCHESTER	NH	03105	Jun 29, 2005	321900	7492/2646	5300	2952	277400
178-11	437 RIMMON ST	REID, DAVID	PO BOX 4922	MANCHESTER	NH	03108	Mar 10, 2003	0	6876/1378	6000	3300	292800
178-12	438 DUBUQUE ST	SOUTHERN NH PLANNING COMM	438 DUBUQUE ST	MANCHESTER	NH	03102	Dec 29, 1995	10000	5683/1939	16599	0	1069200
178-13	444 DUBUQUE ST	FERRAGAMO, DOMENICO	32 BRISTOL AVE	SWAMPSCOTT	MA	01907	Jun 25, 2004	345000	7267/1693	5300	4989	369000
178-30A	443 DUBUQUE ST	WINSTON, ARTHUR J	136 KENDALL POND RD	WINDHAM	NH	03087	Aug 28, 2001	200000	6480/ 459	5313	3508	300800
178-32	435 DUBUQUE ST	LAROCHELLE, STEVEN M	435 DUBUQUE ST	MANCHESTER	NH	03102	Jan 17, 2003	295000	6817/1211	5300	3224	294900
178-33	425 DUBUQUE ST	BERNARD, WILLIAM G	20 W ROSEDALE AVE	MANCHESTER	NH	03103	Apr 28, 2000	140500	6234/1980	5399	3745	312700
178-34	413 DUBUQUE ST	METHOT, YVONNE M	% DENNIS METHOT	MANCHESTER	NH	03102	Jul 20, 2004	0		5901	0	510800
178-8	461 RIMMON ST	LAVIGNE, NANCY M	40 SHERMAN DR	RAYMOND	NH	03077	Dec 05, 2005	805000	7600/2394	5300	5262	377500
178-9	447 RIMMON ST	GATO, CENON	447 RIMMON ST	MANCHESTER	NH	03102	Oct 29, 2004	187900	7349/1658	5300	1076	187700
181-6	160 AMORY ST	160 AMORY LLC	683 PINE ST	MANCHESTER	NH	03103	Nov 21, 2003	605000	7124/1351	9999	0	718000
193-23	415 RIMMON ST	SHRESTHA, DHURBA	94 FISHERVILLE RD #10	CONCORD	NH	03303	Jul 28, 2004	276900	7290/1848	6000	2080	287700
193-41	410 DUBUQUE ST	KAPGOOD DUBUQUE LLC	7 COLBY CT #7-140	BEDFORD	NH	03110	Mar 06, 2006	475000	7640/ 156	5000	8739	492800

City of Manchester New Hampshire

In the year Two Thousand and Seven

AN ORDINANCE

An Ordinance amending the Ordinances of the City of Manchester relating to dog fouling by amending section 38.06 by deleting the fines related to Code Section 90.04 and replacing them with the following new fines:

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

Amending Section 38.06 as follows:

Code Section	First Offense	Second Offense	Third Offense
90.04	\$100.	\$200.	Court Appearance

This ordinance shall be effective upon passage.